



May 10, 2019

Federal Communications Commission  
Portals II  
ATTN: Letter of Appeal  
445 Twelfth Street, SW, Room 5-B516  
Washington, DC 20554

RE: Rural Health Care Program: WC Docket No. 02-60

Dear Madam/Sir,

In the matter of Request for Review by the NY Community Broadband Partnership (HCP # 35645), of which Finger Lakes Community Health (FLCH) is the administrator / lead health care provider, of Decision of Universal Service Administrator to dismiss the appeal submitted on 7/16/18 to extend the deadline for our Funding Commitment Letter # 15680111 (email attached herein). In an email received on 7/20/18 from Seth Toplin (RHC-Admin), the initial denial was stated as 'unable to adjust contract endorsement dates from old funding commitments'.

In an email on 7/23/18, Rachel Mehlenbacher submitted an appeal to the USAC RHC-Appeals regarding the issue with contract end dates that were extended beyond the initial funding commitment end date by the Service Provider (Time Warner Cable / Spectrum / Charter). The contract was signed on 7/29/15 with anticipated installation date of 9/1/15. Due to a prior funding commitment, the new service could not be installed until 1/25/16; therefore, the contract end date was extended until 1/25/19, which FLCH was unaware of.

FLCH is requesting a waiver of 54.644 Multi-year commitments to extend the deadline for our Funding Commitment Letter # 15680111 to match the revised deadline for the contract. The original contract was signed on 7/29/15 and should have terminated on 6/30/18, which would have matched the dates of Funding Commitment Letter # 15680111. We are not requesting additional funds but just an extension of the deadline to fully utilize the unexpended funds committed to FLCH by Funding Commitment Letter # 15680111.

On 4/23/19, we received notification from USAC that our appeal was denied.

On 5/14/19, we received notification from USAC that funds had been de-committed.

We are requesting a waiver of the Funding End Date of 6/30/18 so that we may fully utilize the funds that were granted to us in Funding Commitment Letter dated 9/1/15 totalling \$115,693.50.

Furthermore, if we were aware of the issue with the contract end dates earlier and if the initial appeal response had not taken 9 months, FLCH would have been able to request additional funding in Funding Year 2018 to cover this shortfall.

The contact person who can discuss this appeal in detail is Rachel Mehlenbacher, Consortium Program Coordinator. Her phone number is 607-329-4826, and her email is [rachelm@flchealth.org](mailto:rachelm@flchealth.org). Her mailing address is PO Box 423, Penn Yan, NY 14527.

Finger Lakes Community Health has participated in the Rural Health Care and Healthcare Connect Fund programs as part of a pilot program from the inception of this funding in 2007.

**Administrative Offices** 14 Maiden Lane • PO Box 423 • Penn Yan, NY 14527  
p: 315-531-9102 • f: 315-531-9103 • w: [www.localcommunityhealth.com](http://www.localcommunityhealth.com)

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Penn Yan Community Health • Port Byron Community Health • Sodus Community Health • Dundee Dental Center

We hope that you will not penalize Finger Lakes Community Health, which is a Federally-Qualified Health Center with a network of 10 clinics in many rural communities in New York State that depends on USAC funding to provide health care to agricultural workers and under-served populations.

Also, with a significant infrastructure of telemedicine and EMR systems deployed between our 10 clinics and a network of specialists and clinical providers, the subsidized broadband through the HCF program is vital for our on-going sustainability.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Zelazny".

Mary Zelazny, CEO  
Finger Lakes Community Health

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